

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session
VOTING RECORD

Bill No. 194-36 (COR) As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts; and substituted and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building February 25, 2022					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada	✓					
Senator Frank Blas Jr.					✓	✓
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator James C. Moylan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator Telena Cruz Nelson					✓	✓
Senator Sabina Flores Perez					✓	✓
Senator Clynton E. Ridgell	✓					
Senator Joe S. San Agustin	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Senator Jose "Pedro" Terlaje	✓					
Speaker Therese M. Terlaje	✓					
Senator Mary Camacho Torres	✓					

TOTAL

12

0

3

3

Aye

Nay

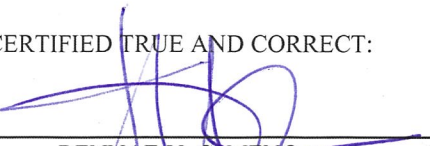
Not
Voting/
Abstained

Out
During
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



 RENNAE V. C. MENO
 Clerk of the Legislature

I = Pass

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 194-36 (COR)

As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts; and substituted and further amended on the Floor.

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Introduced by:

Clynton E. Ridgell
Christopher M. Dueñas
Tina Rose Muña Barnes
Amanda L. Shelton
Joe S. San Agustin
Telo T. Taitague
James C. Moylan

AN ACT TO *AMEND* § 14101 AND *REPEAL AND REENACT* § 14102 OF CHAPTER 14, DIVISION 4, TITLE 8, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE GUAM INVASIVE SPECIES INSPECTION FEE AND ASSESSMENTS.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Invasive Species Inspection Fee and Fund were established under Public
4 Law 31-43 with the intention of collecting over Two Million Dollars (\$2,000,000)
5 to fund much-needed services of the Department of Agriculture's Biosecurity
6 Division. Since collection of the fee has begun, however, it has accumulated an
7 average of Six Hundred Thousand Dollars (\$600,000) in revenue. This meant that
8 services intended to help address invasive species on Guam and protect endemic
9 flora and fauna have been severely underfunded.

1 *I Liheslaturan Guåhan* further finds that the fee’s collection process has room
2 for simplification to assist shipping companies and the Department in tracking the
3 costs. Charging flat rates on imported goods instead of charging by weight allows
4 for easier accountability for the fees and allows the Department to collect the
5 revenues necessary for its operations. Furthermore, the current fee has exempted
6 several materials that may be carriers of invasive species and that must also be
7 addressed.

8 Therefore, it is the intent of *I Liheslaturan Guåhan* to update the Invasive
9 Species Inspection Fee in the manner as supported by the Port Authority of Guam
10 Users Group and the Invasive Species Council by charging flat rates on all containers
11 and passenger motor vehicles entering Guam and to additionally assess all materials
12 and goods that may be carriers of invasive species.

13 **Section 2.** § 14101 of Chapter 14, Division 4, Title 8, Guam Administrative
14 Rules and Regulations, is *amended* to read:

15 **“14101. Fee Established.**

16 The Department of Agriculture establishes a fee for the inspection,
17 quarantine, eradication, and management of invasive species brought into
18 Guam. The fee shall be paid by the carrier company, who shall forward the
19 payment to the Department of Agriculture, Biosecurity Division. For purposes
20 of this Chapter, a ‘carrier company’ is defined as a company that arranges the
21 transport of cargo from point of origin to a final destination with shipping
22 companies, and may be a shipping company.”

23 **Section 3.** § 14102 of Chapter 14, Division 4, Title 8, Guam Administrative
24 Rules and Regulations, is *repealed* and *reenacted* to read:

25 **“§ 14102. Fee Assessments.**

26 (a) The following fees shall be assessed and collected on the items
27 described herein on a per voyage basis:

1 (1) Seventy-five cents (\$0.75) on each one thousand (1,000)
2 pounds of bulk sand, quarried product, or cement bulk freight or part
3 thereof;

4 (2) Twenty-six Dollars (\$26.00) per each twenty-foot
5 equivalent unit (TEU);

6 (3) Two Dollars (\$2.00) on each revenue ton, as defined by
7 the Port Authority of Guam tariff, of break bulk or cargo that is not in
8 a container.

9 (b) Coal bulk freight and liquid bulk freight shall be exempt from
10 fees under this Section.

11 (c) All fees collected shall be deposited into the Guam Invasive
12 Species Inspection Fee Fund and expended as mandated in Public Law 31-
13 43.”

14 **Section 4. Monthly Vessel Cargo Report.** The Port Authority of Guam
15 shall provide to the Department of Agriculture Biosecurity Division a monthly
16 vessel cargo report providing each voyage per carrier’s vessel, to include total
17 twenty-foot equivalent units (TEUs), revenue tons of break bulk, and weight (metric
18 tons) of non-containerized sand/gravel/rock. The Vessel Cargo Report shall be
19 provided to the Department of Agriculture Biosecurity Division no later than the
20 twentieth (20th) day of each month for the preceding month’s activity.

21 **Section 5. Effective Date.** This Act shall be effective upon enactment.

22 **Section 6. Severability.** If any provision of this Act or its application to any
23 person or circumstance is found to be invalid or contrary to law, such invalidity shall
24 not affect other provisions or applications of this Act that can be given effect without
25 the invalid provision or application, and to this end the provisions of this Act are
26 severable.